IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 622 OF 2003

IN

CONTEMPT PETITION NO. 136 OF 2002

IN

SUIT NO. 2579 OF 1995

Dhaval Corporation. .....**Petner.**
vs.
Central Bank of India and ors. .....**Resps.**

D.H. Mehta a/w. A. Diamondwala i/b. Divya Shah Associates for the petitioner.

J. Lantin a/w. Swati Deshpande i/b. M.S. Bodhanwala for the respondents.

CORAM: S.U. KAMDAR, J.

DATE : 30th September, 2005.

P.C. :.

1. Learned counsel for the respondents states that they have already issued a no-due certificate. In an event if such no due certificate is not issued

he further states that he will do so within a period of one week from today. It is the case of the petitioner that whilst making payment of Rs.1 crores they have made excess payment to the respondents. In so far as the claim of refund of the excess payment is concerned it will open for the respondent to adopt appropriate legal proceedings for the claim of such a refund amount in accordance with law. This order will not come in the way of the petitioner applying for such refund of the amount and if the court comes to the conclusion that there an excess amount is paid the court will be free to pass any appropriate order in accordance with law. With the aforesaid order the present notice of Motion is disposed off. No order as to costs.

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